

EXHIBIT NO. 11

**D.S., ET AL. vs CITY OF HUNTINGTON PARK, ET AL.**  
**Matthew Rincon on 11/20/2024**

1 UNITED STATES DISTRICT COURT  
2 CENTRAL DISTRICT OF CALIFORNIA  
3  
4 D.S., a minor by and through his )  
guardian ad litem Elsa Acosta, )  
5 individually and as successor-in- )  
interest to William Salgado; C.S., a )  
6 minor by and through his guardian ad )  
litem Elsa Acosta, individually and )  
7 as successor-in-interest to William )  
Salgado; J.S., a minor by and through )  
8 her guardian ad litem Elsa Acosta, )  
individually and as successor-in- )  
9 interest to William Salgado; M.S., a )  
minor by and through her guardian ad )  
10 litem Elsa Acosta, individually and )  
as successor-in-interest to William )  
11 Salgado, )  
12 Plaintiffs, )  
13 vs. ) Case No.  
2:23-CV-09412-CBM-AGR  
14 CITY OF HUNTINGTON PARK; NICK NICHOLS, )  
RENE REZA; MATTHEW RINCON; APRIL )  
15 WHEELER and DOES 5 through inclusive, )  
16 Defendants. )  
17  
18 REMOTE VIDEOCONFERENCE DEPOSITION OF  
19 MATTHEW RINCON  
20 WEDNESDAY, NOVEMBER 20, 2024  
21  
22  
23 Reported Stenographically By:  
24 Jinna Grace Kim, CSR No. 14151  
25 Job No.: 115432

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 )  
16 Defendants. )  
 )  
17

18 The remote videoconference deposition of MATTHEW  
19 RINCON, taken on behalf of the Plaintiffs, beginning at 10:03  
20 a.m., and ending at 12:24 p.m., on Wednesday, November 20,  
21 2024, before Jinna Grace Kim, Certified Stenographic  
22 Shorthand Reporter No. 14151.  
23  
24  
25

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1 CALIFORNIA

2 WEDNESDAY, NOVEMBER 20, 2024

3 10:03 A.M.

4 MATTHEW RINCON,

5 called as a witness on behalf of the Plaintiffs, having been  
6 first duly sworn remotely via videoconference, was examined  
7 and testified as follows:

8 EXAMINATION

9 BY MR. GALIPO:

10 Q. Can you please state your full name and spell it for  
11 the record.

12 A. Matthew Rincon, R-i-n-c-o-n.

13 Q. Have you ever had your deposition taken before?

14 A. I have not.

15 Q. Have you testified in court before?

16 A. I have.

17 Q. Do you have an estimate as to how many times you've  
18 done that?

19 A. Approximately a 100 times, maybe.

20 Q. Did you have some training with respect to  
21 testifying in court?

22 A. I have.

23 Q. Who do you currently work for?

24 A. The Huntington Park Police Department.

25 Q. When did you go to the police academy?

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1 A. 2010.

2 Q. What type of work did you do before you went to the  
3 academy?

4 A. I was a student, and then I was -- or prior to that  
5 I was a correctional officer with the Sheriff's Department.

6 Q. What period were you a correctional officer?

7 A. 2007 to 2010.

8 Q. Where did you work during that time frame?

9 A. Men's Central Jail in Downtown LA with the Los  
10 Angeles County Sheriff's Department.

11 Q. And what were you going to school for?

12 A. My Bachelor's in Criminology.

13 Q. When approximately did you graduate from the  
14 academy?

15 A. November of 2010 -- excuse me -- March 2010, I  
16 believe, eleven.

17 Q. And where did you first go to work?

18 A. Men's Central Jail.

19 Q. Up to what year?

20 A. 2000 -- from 2000 to 2010 I worked at Men's Central  
21 Jail, and then I went to the police academy and then was  
22 reassigned at Men's Central Jail.

23 So from 2010 to 2013 -- or '12, excuse me.

24 Q. So you worked at the Men's Central Jail from 2007 to  
25 2010?

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1 A. '12, sir.

2 Q. '12.

3 A. Correct.

4 Q. Okay. And then where did you go work after that?

5 A. I worked at Burbank Courthouse as a bailiff.

6 Q. What period of time did you do that?

7 A. 2012, 2013.

8 Q. What judge did you work for, if you remember?

9 A. I don't remember.

10 Q. And then where did you go work after that?

11 A. Then I worked at Ontario Montclair School District  
12 as a campus officer.

13 Q. What time frame did you do that?

14 A. 2015 to till I got hired at Huntington Park Police  
15 Department in 2019, I believe.

16 Q. Had you applied to other police departments for work  
17 other than Huntington Park?

18 A. Yes.

19 Q. How many other departments did you apply to?

20 A. Approximately two or three.

21 Q. And when did you start with Huntington Park?

22 A. March of 2019 or '20 -- 2020, I believe.

23 Q. Did you have a period of field training?

24 A. Yes, I did.

25 Q. And then were you assigned to patrol?



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1 BY MR. GALIPO:

2 Q. At any time before the 40-millimeter was deployed  
3 when you were present?

4 A. Not that I recall. I always remember maybe seeing  
5 one or seeing one hand at least in his waistband.

6 Q. The entire 15 to 20 minutes?

7 A. Yes. That was the -- we were giving commands almost  
8 the entire time for him to let us see his hands so we can  
9 kind of work from there.

10 Q. So before the 40-millimeter was deployed, did you  
11 yourself ever see a weapon on him?

12 A. I did not.

13 Q. For example, did you ever see a gun?

14 A. I did not see a gun.

15 Q. Did you know the 40-millimeter was going to be  
16 deployed when it was?

17 A. Yes. I believe I heard Officer Wheeler announce the  
18 shooting of the 40.

19 Q. Officer Wheeler?

20 A. Yes.

21 Q. You recall her saying that she was going to deploy  
22 the 40-millimeter?

23 A. Yes.

24 Q. What exactly was Mr. Salgado doing when the  
25 40-millimeter was deployed the first time?

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1 A. Correct.

2 Q. So what you're saying is at the time he was shot,  
3 he's running towards you?

4 A. Correct.

5 Q. So he doesn't have -- at the time he's shot he  
6 doesn't have his hands in the air; he's not slowly rotating  
7 around like this at the time that he's shot; is that true?

8 A. He's running towards me.

9 Does not have his hands in the air.

10 He has a knife in his hand and he's running towards  
11 me.

12 Q. Right. And he is not rotating around?

13 A. No, he's not.

14 Q. And when he's running towards, the shots that you  
15 guys were shooting at him, you're shooting him right --  
16 you're shooting him center mass, and he's got his shoulders  
17 squared like this, and you're shooting right at him, right at  
18 the front of his chest as he's running towards you; isn't  
19 that true?

20 A. I can speak for only what -- where I shot.

21 I don't know what the other officers -- what their  
22 angle was.

23 Q. Right. But where you shot, he was running towards  
24 you and his shoulders are squared, and you guys are shooting  
25 at the front of his chest; right?

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1 A. If he's running towards me, I was aiming for his  
2 torso area. That's where the portion of where my shots went,  
3 and that's where it went, yes.

4 Q. Right. And your bullets went straight when you  
5 fired at him?

6 MR. COLVIN: Objection. Calls for speculation.

7 THE WITNESS: I don't know exactly which angle,  
8 where they went. My aim was towards the torso.

9 BY MR. HENDERSON:

10 Q. And you're shooting straight at the front of his  
11 chest, and you're shooting straight through front to back;  
12 right?

13 A. That was my intent, to end the threat, yes.

14 Q. All right. Okay.

15 I don't have any questions. Thank you.

16 MR. COLVIN: I have no questions.

17 MR. GALIPO: Okay. I don't have any other questions  
18 either -- oh, just one.

19 EXAMINATION

20 BY MR. GALIPO:

21 Q. Did you see at any time afterwards that there were  
22 wounds to either one of his shoulders?

23 A. I don't recall. I just remember blood being there.

24 I couldn't really know where the wounds were at.

25 Q. When did you give your interview in relation to the

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1 incident?

2 A. I don't recall. Maybe a few weeks after.

3 I don't recall exactly.

4 Q. Do you recall where you were when you gave the  
5 interview?

6 A. I was at the LASD Homicide Bureau.

7 Q. And did you have a representative present with you  
8 at that time?

9 A. I did.

10 Q. Was that an attorney, if you know?

11 A. I believe so.

12 Q. Okay. I think that's all I have.

13 MR. GALIPO: Roger, are we good for today?

14 MR. COLVIN: Yes, we're good.

15 I have no questions.

16 MR. GALIPO: Great. Off the record.

17 (Deposition proceeding concluded at 12:34 p.m.)

18 \* \* \*

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1 DECLARATION UNDER PENALTY OF PERJURY

2

3 Case Name: D.S., a minor et al. vs. City of Huntington Park,  
4 et al.

5 Date of Deposition: November 20, 2024

6 Job No.: 115432

7

8 I, \_\_\_\_\_, hereby certify

9 under penalty of perjury under the laws of the State of

10 California that the foregoing is true and correct.

11 Executed this \_\_\_\_\_ day of \_\_\_\_\_,

12 20\_\_\_\_, at \_\_\_\_\_, California.

13

14

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\_\_\_\_\_  
MATTHEW RINCON

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CERTIFICATE

OF

CERTIFIED STENOGRAPHIC SHORTHAND REPORTER

I, JINNA GRACE KIM, CSR No. 14151, a Certified  
Stenographic Shorthand Reporter of the State of California,  
do hereby certify:

That the foregoing proceedings were taken before me  
at the time and place herein set forth;


That any witnesses in the foregoing proceedings,  
prior to testifying, were placed under oath;

That a verbatim record of the proceedings was made  
by me, using machine shorthand, which was thereafter  
transcribed under my direction;

Further, that the foregoing is an accurate  
transcription thereof.

I further certify that I am neither financially  
interested in the action, nor a relative or employee of any  
attorney of any of the parties.

IN WITNESS WHEREOF, I have subscribed my name, this  
date: November 20, 2024.



Jinna Grace Kim, CSR No. 14151

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1 DEPOSITION ERRATA SHEET

2 Case Name: D.S., a minor et al. vs. City of Huntington Park,  
3 et al.

4 Witness: Matthew Rincon

5 Date of Deposition: November 20, 2024

6 Job No.: 115432

7 Reason Codes: 1. To clarify the record.

8 2. To conform to the facts.

9 3. To correct transcription errors.

10

11 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

12 From \_\_\_\_\_ To \_\_\_\_\_

13 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

14 From \_\_\_\_\_ To \_\_\_\_\_

15 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

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2 From \_\_\_\_\_ To \_\_\_\_\_

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4 From \_\_\_\_\_ To \_\_\_\_\_

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15 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

16 From \_\_\_\_\_ To \_\_\_\_\_

17

18 \_\_\_\_\_ Subject to the above changes, I certify that the  
19 transcript is true and correct.

20 \_\_\_\_\_ No changes have been made. I certify that the  
21 transcript is true and correct.

22

23

24 \_\_\_\_\_  
MATTHEW RINCON

25